

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Newport News Division

UNITED STATES OF AMERICA,

v.

Case No. 4:23-cr-51

O'Sirus Landres Charles Ford,

Defendant.

**DEFENDANT'S EMERGENCY MOTION FOR RELEASE ON BOND TO ATTEND
FUNERAL WITH MEMORANDUM OF LAW**

Comes now the defendant, O'Sirus Landres Charles Ford, by counsel, and moves this Honorable Court to set an unsecured bond to allow him to attend his grandmother's funeral on Friday, September 22, 2023. In support hereof, the defense represents as follows:

1. Mr. Ford is charged in a Superseding Indictment with conspiracy to interfere with commerce by robbery, two counts of interference with commerce by robbery, two counts of assault of a federal employee with a dangerous weapon, two counts of brandishing a firearm during and relation to and possess a firearm in furtherance of a crime of violence, two counts of stealing keys adopted by the post office and possession of a stolen firearm. ECF No. 22. Mr. Ford has entered a plea of not guilty and trial is currently set, with a jury, for October 30, 2023. *See* ECF No. 40.

2. Mr. Ford was ordered detained by Magistrate Judge Miller on June 9, 2023 (ECF Nos. 13, 14), and is currently incarcerated at the Western Tidewater Regional Jail in Suffolk, Virginia.

3. Mr. Ford's grandmother, Diane Ryland, passed away on September 12, 2023. Her funeral is scheduled for Friday, September 22, 2023 at 2:00 p.m. at the Metropolitan Funeral Home, 120 W. Berkley Ave, Norfolk, Virginia 23523, with a reception to follow at Mr. Ford's mother's house located on Mains Creek Road, Chesapeake, Virginia 23320 (estimated time for the service is 1.5 hours, not including the reception).

4. Mr. Ford would very much like to attend the funeral service. Mr. Ford is not able, nor is his family, to pay the amount of money required for the Marshal's Office to transport Mr. Ford to and from the funeral service and maintain the appropriate security. In addition, in defense counsel's experience from communication with the Marshal's Office in previous cases, there is insufficient time and resources to accomplish this task – even if Mr. Ford could pay the cost.

5. The defense seeks Mr. Ford's release on Friday, September 22, 2023 to attend his grandmother's funeral with the condition that he turn himself in to either the Marshal's Office located in the Federal Courthouse, 600 Granby Street, Norfolk, Virginia 23510 or directly to the Western Tidewater Regional Jail, 2402 Godwin Boulevard, Suffolk, Virginia 23434 by 4:30 p.m. on Friday, September 22, 2023. The defense proposes additional conditions that Mr. Ford be released on electronic monitoring and that Mr. Ford's mother serve as a third-party custodian to ensure that Mr. Ford abides by any conditions of release this Court sets.

6. Defense counsel has contacted the Assistant United States Attorneys handling this case about this motion and the Government objects to this motion.

Law & Argument

Title 18 of the United States Code § 3142 governs the release or detention of defendants pending trial. Magistrate Judge Miller ordered that Mr. Ford be detained at his detention hearing on June 9, 2023. ECF Nos. 13, 14. Judge Miller's decision detaining Mr. Ford was based on his finding, by clear and convincing evidence, that no condition or combination of conditions would reasonably assure the safety of any other person or the community. ECF No. 14. Mr. Ford was not found to be a flight risk. And despite Judge Miller's previous finding, Mr. Ford's release with the conditions the defense proposes, would reasonably assure the safety of any other person or the community if released for this limited period of time.

Mr. Ford is seeking release for a very limited period, specifically to attend his grandmother's funeral service in Norfolk, Virginia. If permitted to attend the service, Mr. Ford is willing to turn himself in on Friday, September 22, 2023, at the conclusion of the service directly to Western Tidewater Regional Jail or the Marshal's Office. He will also abide by any and all conditions set by the Court if granted release for this limited purpose.

Wherefore, the defense respectfully requests a hearing before Friday, September 22, 2023 and/or moves for the entry of the appropriate order in accordance with this motion.

Respectfully submitted,

O'Sirus Landres Charles Ford

By: _____/s/
Keith Loren Kimball
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